

Ordinance \_\_\_\_\_

AN ORDINANCE relating to the Refrigeration Systems Code, Seattle Municipal Code Chapter 6.82, as adopted by Ordinance 84297 and amended by Ordinances 84388, 102628, 106025, 107158, 108076, 112964, 113702, 117169, 117425, and 118398; amending Section 6.82.020 providing definitions; amending Section 6.82.030 regulating licenses required and issuance of refrigeration mechanics and engineers licenses; repealing Section 6.82.050 providing for an apprentice certificate of registration; amending Section 6.82.060 establishing a refrigeration supervisory and examining advisory board; amending Section 6.82.100 regulating application and issuance of refrigeration contractors licenses; amending Section 6.82.110 regulating application by corporation, co-partnership, or association; amending Section 6.82.120 regulating license classifications; repealing Section 6.82.180 providing exemptions for certain air-conditioning contractors; amending Section 6.82.190 regulating revocation of licenses; and amending Section 6.82.320 continuing existing licenses.

**Section 1.** Section 6.82.020 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinances 112964, 113702, 117169, and 117425, is amended as follows:

**SMC 6.82.020 Definitions.**

Words and phrases used in this chapter have the following meanings:

\* \* \*

C. "Board" means the Refrigeration Supervisory and Examining Advisory Board created by this chapter.

D. "Committee" means Refrigeration Supervisory and Examining Advisory Committee created by this chapter.

E. "Department" means the Department of Design, Construction and Land Use.

F. "Director" means the Director of the Department of Design, Construction and Land Use or his/her duly authorized representative.

~~((F))~~G. "Industrial refrigeration engineer" means a full-time employee who spends a substantial portion of his time in the installation, addition to, repair, service, or operation of refrigeration systems in a building, or portion thereof, used for manufacturing, processing, or storage of materials or products, including among others, chemicals, food, candy, and ice cream factories, ice-making plants, meat-packing plants, refineries, perishable food warehouses, hotels, hospitals, restaurants, and similar occupancies and equipped with a refrigeration system, and whose duty shall be to install, add to, repair, service and operate all of his employers' refrigeration systems and equipment.

1 ((G))H. "Journeyman refrigeration mechanic" means a person engaged in the installation,  
2 repair or servicing as an artisan, of any refrigeration system, equipment or parts thereof.

3  
4 ((H))I. "Person" means any individual, firm, corporation or association.

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6 ((I))J. "Recognized school of technology" means one which is accredited by national or  
7 regional accrediting association.

8  
9 ((J))K. "Refrigerating contractor" means a person who engages in the business of installation,  
10 alteration or repairing of refrigeration equipment and in planning, engineering and  
11 superintendence in connection therewith.

12  
13 ((K))L. "Refrigeration operating engineer" means a full-time employee who spends a  
14 substantial portion of his time in the maintenance and operation of a refrigeration system in a  
15 building, or portion thereof, used for manufacturing, processing, or storage of materials or  
16 products, including among others, chemicals, food, candy, and ice cream factories, ice-  
17 making plants, meatpacking plants, refineries, perishable food warehouses, hotels, hospitals,  
18 restaurants, and similar occupancies and equipped with a refrigeration system, and whose  
19 duty shall be to operate, maintain, and keep in a safe and serviceable condition all of his  
20 employers' refrigeration systems and equipment.

21  
22 ~~((L. "Refrigeration service shop" means a person engaged in the business of rendering~~  
23 ~~refrigeration service on refrigeration systems or machines having a standard rating of less than~~  
24 ~~one fourth (1/4) horsepower or one fourth (1/4) ton refrigeration effect and containing less~~  
25 ~~than six (6) pounds of refrigerants and on approved self-contained systems of one (1)~~  
26 ~~horsepower and less.))~~

27  
28 ~~M. ("Refrigeration service shop mechanic" means a person engaged in the installation, repair~~  
29 ~~and servicing, as an artisan, of any refrigeration system or machine having a standard rating of~~  
30 ~~less than one fourth (1/4) horsepower or one fourth (1/4) ton refrigeration effect and~~  
31 ~~containing less than six (6) pounds of refrigerants and of approved self-contained systems of~~  
32 ~~one (1) horsepower and less.~~

33  
34 N.)) "Refrigeration system" is a combination of interconnected refrigerant-containing parts  
35 constituting one (1) closed refrigerant circuit in which a refrigerant is circulated for the  
36 purpose of extracting heat and shall include not only the direct system but also the "indirect  
37 system" as defined in the Seattle Municipal Code.

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39 **Section 2.** Section 6.82.030 of the Seattle Municipal Code, as adopted by ordinance  
40 84297 and amended by ordinances 107158, 117169, and 117425, is amended as follows:

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42 **SMC 6.82.030 Mechanics or engineers -- License required -- Issuance by ((Examining**  
43 **Board)) Department.**

44  
45 A. No one shall engage in the work of installation, alteration, repair, or servicing of  
46 refrigeration systems or equipment as a journeyman refrigeration mechanic without a

journeyman refrigeration mechanic's license or as a ~~((refrigeration service shop mechanic without a refrigeration service shop mechanic's license or as a))~~ refrigeration operating engineer without a refrigeration operating engineer's license or as an industrial refrigeration engineer without an industrial refrigeration engineer's license issued under the provisions of this chapter; provided, that a welder may be allowed to weld on refrigeration installations and equipment without a license under the direct supervision of a licensed journeyman refrigeration mechanic or licensed industrial refrigeration engineer; provided, further that an apprentice may engage in such work without a license as herein authorized.

B. Before ~~((the Board shall permit))~~ a candidate is allowed to take an examination for a license as a journeyman refrigeration mechanic or as ((a refrigeration shop mechanic or as)) an industrial refrigeration engineer, the ((applicant)) candidate shall furnish proof satisfactory to the Board or to the Committee of the following qualifications:

1. Three (3) years' actual full-time experience as a journeyman refrigeration mechanic or ~~((refrigeration service shop mechanic or))~~ industrial refrigeration engineer or its equivalent; or

2. Two (2) years' training in a recognized school of technology, plus two (2) years' full-time actual experience at the trade; or

3. Graduation from a recognized school of technology plus one (1) year's actual experience at the trade.

C. ~~((Licenses may be approved by the Examining Board))~~ The Director may approve licenses for refrigeration operating engineers limited as to employment of such engineer in a particular location and with respect to a refrigeration system using specified types of refrigerants. A limitation to a particular location may be changed from one (1) location to another upon ((approval by the Examining Board)) a petition by the applicant to the Board or the Committee and the payment of a fee of One Dollar (\$1.00). Not more than two (2) such changes of location shall be granted to a licensee without reexamination nor shall any such change of location be granted without reexamination after the expiration of one (1) year from the date of issuance of the license.

\* \* \*

**Section 3.** Section 6.82.050 of the Seattle Municipal Code, as adopted by ordinance 84297, is hereby repealed.

~~**((SMC 6.82.050 Apprentice -- Certificate of registration.**~~

~~No one shall be employed as an apprentice on any refrigeration installation, alteration, repair, servicing, or maintenance of refrigeration systems or equipment without a certificate of registration issued by the Board as an apprentice refrigeration mechanic, or as an apprentice industrial refrigeration engineer, or as an apprentice refrigeration operating engineer, or as an apprentice service shop mechanic. Such certificate of registration will authorize the holder to work as an apprentice under the direct supervision of a certified and licensed journeyman refrigeration mechanic, refrigeration operating engineer, industrial refrigeration engineer, or service shop mechanic.))~~

**Section 4.** Section 6.82.060 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinances 108076, 112964, 117169, and 117425, is amended as follows:

**SMC 6.82.060 Refrigeration Supervisory and Examining Advisory Board.**

A. There is created a Refrigeration Supervisory and Examining Advisory Board for the purpose of ~~((conducting examinations and certifying as to qualifications for issuance of licenses under this chapter. The Board shall consist of:~~

~~1. Chief of Environmental Health;~~

~~2. A duly authorized representative of and appointed by the Director.))~~ advising and assisting the Department in the administration of all the licenses regulated by this chapter. The Department is authorized to define the duties and prescribe the procedures for such a board. The board may recommend to the Department such revisions to this chapter as it may deem appropriate. The board shall consist of five voting members who are, or who have been licensed under the provisions of this chapter. A representative of the Department shall serve as a non-voting member and the secretary of the board.

B. The Director shall act as secretary of the Board. The Board shall conduct examinations and certify applicants for licenses under this chapter.

**Section 5.** Section 6.82.100 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinances 84388, 102628, 107158, 117169, and 117425, is amended as follows:

**SMC 6.82.100 Contractor's ~~((or service shop))~~ license -- Application and issuance.**

A. Applications for a refrigeration contractor's license~~((;))~~ or an air-conditioning contractor's license~~((, or a refrigeration service shop license))~~ shall be made to the Director on forms prescribed by ~~((him/her))~~ the Department, and shall be accompanied by the required fee ~~((and an affidavit of the applicant or some qualified person in his/her employment that the applicant has been actively engaged in the installation, repair, alteration and/or servicing, as the case may be, of refrigeration systems, and))~~. The application shall ((also)) set forth the types of refrigerants ((and types of refrigerating systems with which the applicant is familiar by actual experience or education. No contractor's or service shop license shall be required to install, alter, add to, repair, or service an established refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business an industrial refrigeration engineer licensed under this chapter; and no such license shall be required to repair or service an established refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business a refrigeration operating engineer licensed under this chapter)) for which the contractor is applying. Upon approval of such application by the Director, the Department shall issue such a license.

B. ~~((Upon approval of such application by the Director, he/she shall issue such license))~~ No contractor's license shall be required to install, alter, add to, repair, or service an established

refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business an industrial refrigeration engineer licensed under this chapter; and no such license shall be required to repair or service an established refrigeration system in a building where the owner and/or operator thereof employs in the regular course of business a refrigeration operating engineer licensed under this chapter.

**Section 6.** Section 6.82.110 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinances 84388, 102628, 117169, and 117425, is amended as follows:

**SMC 6.82.110 Applications by corporation, co-partnership or association.**

If application for a refrigeration contractor's license((;)) or an air-conditioning contractor's license((; ~~or a refrigeration service shop license~~)) is by a corporation, co-partnership, or association, or by an individual owner or operator who does not perform actual work as an artisan, the application shall designate one (1) or more individuals as officers or employees, who shall take the qualifying examinations as approved by the Refrigeration Supervisory and Examining Advisory Board. If the individual or individuals designated pass the examination, the license shall be issued in the name of the applicant and the individual passing the examination. The individual named in the license shall be in charge of all refrigeration installation, alteration, repair or service done by or for the corporation, co-partnership or association, or by such individual owner. Whenever any such individual is no longer associated with the corporation, co-partnership or association, or such individual owner, they shall report the fact of such disassociation to the Director within thirty (30) days and the license shall be suspended until a new qualified individual is designated to perform such work in behalf of the corporation, co-partnership or association or individual owner. Failure of a corporation, co-partnership or association or such individual owner to report such disassociation shall be a violation of this chapter. An individual who has qualified to render service for one (1) corporation, co-partnership or association, or individual owner, may on written application have his authority and qualifications to act transferred to any other licensed corporation, co-partnership, or association, or individual owner with the written consent of such other corporation, co-partnership or association, or individual owner.

**Section 7.** Section 6.82.120 of the Seattle Municipal Code, as adopted by ordinance 84297, is amended as follows:

**SMC 6.82.120 License classifications.**

Licenses shall be classified as follows:

A. A refrigeration contractor's license shall be required except as herein provided for all persons who install, alter or repair a refrigeration system with a unit containing six (6) pounds or more of any refrigerant and actuated by a motor or engine having a standard rating of one-fourth (1/4) horsepower or more, or absorption systems having a rating of one-fourth (1/4) ton or more refrigeration effect. There shall be three (3) classes of licenses for refrigeration contractors and for journeyman refrigeration mechanics as follows:

Class A -- Covering refrigeration machine using only sulphur dioxide, methyl chloride, all freons;

Class B -- Covering refrigerating machines using all other refrigerants.

Class C -- Covering all refrigerating machines using refrigerants included in Classes A and B.

~~B. ((Refrigeration Service Shop License. This license shall be required for any persons operating a refrigeration service shop for the purpose of installing, altering, or repairing approved self-contained refrigeration systems or machines containing less than six (6) pounds of refrigerant or actuated by a motor having a standard rating of one (1) horsepower and less.~~

~~C.))~~ Air-conditioning Contractor's License. An air-conditioning contractor's license shall be required except as provided by this chapter for all persons who install, repair, service, alter or move approved self-contained or unit refrigeration systems as defined by Sections 2.48.3 and 2.48.4 of the A.S.A. B9.1-1953 Standard, Comptroller's File No. 227141.

**Section 8.** Section 6.82.180 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinance 117169, is hereby repealed.

~~((SMC 6.82.180 License exemption for certain air-conditioning contractors.~~

~~No one shall perform any of the services or activities covered by this chapter without a license as herein required, except that anyone who has engaged in the business as an air conditioning contractor for thirty (30) days or more immediately preceding the passage of the ordinance codified in this chapter may continue to engage in such services or activities without a license until his application for a license is rejected by the Board because of failure to take or pass the examinations herein required; and no person shall continue to engage in such services or activities without such license unless an application for such license and examination is filed with the City Clerk and the Examining Board within thirty (30) days after the ordinance codified in this chapter takes effect.))~~

**Section 9.** Section 6.82.190 of the Seattle Municipal Code, as adopted by ordinance 84297 and amended by ordinances 84388, 102628, 112964, and 117169, is amended as follows:

**SMC 6.82.190 Revocation of license.**

Any license issued pursuant to this chapter may be revoked by the Director ~~((of Construction and Land Use))~~ for incompetence, negligence, misrepresentation, giving fraudulent information in making application for a license or permit, failure to comply with the requirements of this chapter, or upon cancellation or revocation of the bond required herein. Before any bond is cancelled the surety thereon shall give the Director ~~((of Construction and Land Use))~~ and the principal thirty (30) days' written notice of intention so to do. Upon

cancellation of the bond the license shall be suspended: Provided, if a new bond of the same tenor and effect is supplied, the license shall continue effective.

**Section 10.** Section 6.82.320 of the Seattle Municipal Code, as adopted by ordinance 84297, is amended as follows:

**SMC 6.82.320 Existing license continued.**

Anyone holding a (~~refrigeration service shop, refrigeration service shop mechanic, a~~) refrigeration contractor, refrigeration journeyman, refrigeration operating engineer, air conditioning contractor, or industrial refrigeration engineer's license under Ordinance No. 80153 as amended, and in effect at the time the ordinance codified in this chapter becomes effective, shall be entitled to continue to operate under that license, and shall be entitled to renewal of the same upon paying the annual license fee herein required. Provided, that no renewal of such license shall be allowed unless application for renewal is made within thirty (30) days after the date of expiration. Any such license shall be subject to revocation under the provisions of this chapter.

**Section 11.** This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_ day of \_\_\_\_\_, 2000, and signed by me in open session in authentication of its passage this \_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
President Pageler of the City Council

Approved by me this \_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
Paul Schell, Mayor

Filed by me this \_\_\_\_ day of \_\_\_\_\_, 2000.

\_\_\_\_\_  
City Clerk

(SEAL)